

9-12 Inspections and Information Gathering (1200 TN 350 9-12)

1. **AUTHORITY.** Pursuant to the Safe Drinking Water Act, including Section 1445, and implementing regulations:
 - a. To perform the duties and responsibilities relative to reviewing records and conducting inspections.
 - b. To obtain and execute warrants for the purpose of performing an inspection or conducting information gathering.
 - c. To carry out any other inspection and information gathering activities authorized by the SDWA.
 - d. To require the carrying out of any other inspection and information gathering activities authorized by the SDWA.
 - e. To designate representatives of the Administrator to perform the functions specified in paragraphs 1.a, 1.b, 1.c and 1.d.
2. **TO WHOM DELEGATED.** The director, Water Protection Division (WPD); associate director, Office of Drinking Water and Source Water Protection (WPD); chief, Drinking Water Branch (WPD); chief, Ground water Enforcement Branch (WPD); director, Office of Enforcement, Compliance and Environmental Justice (OECEJ); and chief, Enforcement and Compliance Assistance Branch (OECEJ).
3. **LIMITATIONS.**
 - a. The delegates must obtain the concurrence of the regional counsel prior to obtaining warrants.
 - b. The OECEJ delegates may exercise these authorities only in multi-media cases, or when conducting an inspection at the request of WPD.
 - c. The OECEJ delegates must consult with the WPD designee before exercising these authorities.
4. **REDELEGATION AUTHORITY.**
 - a. The authority in 1.a, 1.b and 1.c. may be redelegated to the staff level.
 - b. The authority in 1.d. and 1.e. may be redelegated to the branch chief level, and no further.
 - c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. **ADDITIONAL REFERENCES.**

- a. Section 1445 of the SDWA.
- b. U.S. Environmental Protection Agency Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."
- c. 40 CFR Parts 144, 146 and 147.

6. **SUPERSESSION.** Delegations Manual, SDWA, Regional Delegation 9-12 Inspections and Information Gathering, 1200 TN RIII-156 (June 21, 2004).

Date 1/18/2017


Shawn M. Garvin
Regional Administrator